



# Advisory

to: SERVICE STATION  
OWNERS AND OPERATORS

Number 81

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## SERVICE STATION OPERATOR'S GUIDE TO COMPLIANCE WITH CALIFORNIA'S FUEL REGULATIONS

Recent changes in California's fuel regulations have generated questions among retailers concerning compliance with fuel specifications and regulations. This guide has been prepared to help you understand the requirements and answer some of the questions you may have.

**Q** What kinds of gasoline can be sold in California?

**A** There are essentially two types of gasoline which can be sold in California: "unleaded" and "gasoline not represented as unleaded." Both types of gasoline are manufactured without lead, but they have different maximum limits for other parameters.

**Q** What are the allowable vehicle emission control specifications for California gasoline?

**A** Vehicle emission control specification requirements for the two California gasolines are:

<u>MAXIMUM LIMIT</u>	<u>UNLEADED</u>	<u>NOT REPRESENTED AS UNLEADED</u>
Reid Vapor Pressure (RVP)	7.80 psi (seasonal)	7.80 psi (seasonal)
Bromine Number *	30	30
Lead (none added)	0.05 gm/gal	0.05 gm/gal
Sulfur	300 ppm	No Limit
Phosphorus	0.005 gm/gal	No Limit
Manganese	None Added	No Limit
Deposit Control Additive	As Certified by ARB	As Certified by ARB

\*South Coast Air Basin only

**Q** Which size nozzle may be used to dispense these gasolines?

**A** "Unleaded" gasoline must be dispensed using the small diameter (13/16" O.D.) nozzle. "Not Represented as Unleaded" gasoline must be dispensed using the large diameter (15/16" O.D.) nozzle.

**Q Is it legal to use the small nozzle for both types of gasoline since they cannot contain lead??**

**A** No. Gasoline "Not Represented as Unleaded" must be dispensed only through large diameter (15/16" O.D.) nozzles because it may contain sulfur above 300 ppm, phosphorus above 0.005 gm/gal, or manganese compounds which would damage catalytic converters.

**Q Will the two types of gasoline always be available?**

**A** No. Starting on January 1, 1994, all California motor vehicle gasoline will be manufactured and marketed as "unleaded" (see unleaded specifications), and "Not Represented As Unleaded" gasoline will be prohibited.

**Q Since both types of gasoline do not contain lead, how should these products be labeled?**

**A** Unleaded gasoline (see "unleaded" specifications) refers to the "unleaded" gasoline category and may be marketed as unleaded. The "not represented as unleaded" gasoline category (see "not represented as unleaded" specifications) cannot be legally marketed using the word "unleaded". Also, since it does not contain lead, use of the word "leaded" is prohibited. The "not represented as unleaded" gasoline may also be referred to by other terms such as "regular".

**Q What about additives containing lead?**

**A** Additives containing lead are prohibited. They cannot be added to a fuel or a motor vehicle fuel tank except to those of exempt offroad vehicles as defined below.

**Q Are there any vehicles allowed to use gasoline containing lead or lead additives?**

**A** Yes. Exempt offroad vehicles are allowed to use a leaded fuel or lead additive. Exempt offroad vehicles are special construction equipment and implements of husbandry (as defined in sections 565, 570, and 36000 et. seq. of the Vehicle Code). These are vehicles used primarily off highway, as in highway construction or the exclusive conduct of agricultural operations, and only incidentally operated or moved on a highway, and not designed for the transportation of people or property. Pickup trucks are NOT exempt offroad vehicles. Additionally, trains, pleasure craft (boats), aircraft, and racing vehicles are not prohibited from using gasoline containing lead or lead additives.

**Q What about lead in racing fuel?**

**A** Racing fuel can contain lead. This fuel is intended strictly for use at racetracks in vehicles designed and built only for racing and not for driving on public roads. If you drive the vehicle to the track, it is not considered a racing vehicle and leaded fuel cannot be used.

**Q Who must register as a distributor under the new Motor Vehicle Fuel Distributor program?**

**A** You must register annually as a distributor if you do any one of the following:

1. Refine motor vehicle fuel
2. Blend motor vehicle fuel
3. Produce motor vehicle fuel

4. With ownership interest in it, transport fuel between a production or import facility and a retail outlet
5. With ownership interest in it, cause fuel to be transported between a production or import facility and a retail outlet
6. Sell motor vehicle fuel to retailers
7. Offer motor vehicle fuel for sale to retailers
8. Supply motor vehicle fuel to retailers

In effect, everyone in the marketing and distribution chain except those who sell fuel only at retail and those who haul fuel exclusively as common carriers, with no ownership interest in the fuel, must register as a motor vehicle fuel distributor. This includes brokers, distributors, jobbers, refiners, and blenders. If you are a service station operator only, and not a distributor or broker, and you sent in a Motor Vehicle Fuel Distributor Registration form in error, you will not receive a Certificate of Compliance.

Each distributor who files a completed Motor Vehicle Fuel Distributor Registration Form with the Air Resources Board will be issued a Certificate of Compliance. The certificate will be issued by June 30 of each year and will be valid from July 1 through June 30.

**Q Are there penalties for buying motor vehicle fuel from uncertified distributors?**

**A Yes.** Any retailer (service station owner/operator) who knowingly sells or supplies motor vehicle fuel which was obtained from an uncertified (noncomplying) distributor is liable for a penalty of up to \$10,000 for each transaction. Ask your fuel distributor for their ARB certification number.

**Q Who is responsible if out of specification gasoline or diesel is found at a service station?**

**A Everyone** who sold gasoline or diesel in its noncomplying form can be held liable for civil or criminal penalties including the producer, the distributor, and the retailer. The fuels specifications regulations are strict liability laws, meaning that there are at least civil penalties for anyone who violates them even if the violator did not know he or she was doing so. Additionally, the service station owner/operator may be subject to the issuance of a cease and desist order. It is, therefore, good business practice to do everything you can to insure the quality of the fuel you sell, including knowing the reputation of your supplier. If a distributor is offering to sell fuel at a very low cost, there may be something wrong with the fuel. Ask your fuel distributor if their products meet all ARB fuel specifications.

**Q How does a Cease and Desist Order work?**

**A Air Resources Board (ARB) inspectors** sample gasoline and diesel fuel at service stations throughout California. When laboratory analysis of a sample reveals that the fuel is not in compliance with all applicable ARB regulations, the service station is notified verbally and in writing and is advised to take steps to discontinue sales and remove or correct the noncomplying product. As required by law, this verbal and written notice will be given to the owner/operator, manager, or attendant at the service station. The inspectors will return to the station to verify that the fuel has been brought into compliance. If the fuel is still out of compliance and sales of the product are continuing, a formal order to cease and desist sales may be issued. Failure to comply with the Cease and Desist Order causes the owner/operator of the station to be liable for penalties of up to \$10,000 per day.

**If you have any further questions, please contact the following agencies.**

For information on this advisory, other fuels specifications, or the Certified Fuel Distributor program:  
Air Resources Board, Compliance Division  
Roye Jackson - 916-322-6033

For information on labeling requirements, vehicle performance specifications for motor fuels, and weights and measurement standards:  
Department of Food and Agriculture, Division of Measurement Standards  
Floyd Worcester - 916-366-5126

For information on Federal fuel regulations, standards, and requirements:  
U.S. Environmental Protection Agency  
James Caldwell - 202-260-2635

For information on local district rules and regulations, vapor recovery systems, and complaints:  
Contact the local Air Pollution Control District or Air Quality Management District.  
Consult your local telephone directory or call directory information to obtain the number.

For additional information concerning vapor recovery systems, complaints, malfunctioning nozzles, etc.:  
Contact the Air Resources Board toll free at 800-952-5588.

**NOTE: All service stations must have either the ARB toll free telephone number or the local district telephone number posted on or near each dispenser island.**

**Written inquiries may be sent to:**

**James J. Morgester, Chief  
Compliance Division  
California Air Resources Board  
P.O. Box 2815  
Sacramento, California 95812**